United Nations S/PV.6103

Security Council

Sixty-fourth year

Provisional

6103rd meeting

Wednesday, 8 April 2009, 10 a.m.

New York

President:	Mr. Heller	(Mexico)
Members:	Austria	Mr. Ebner
	Burkina Faso	Mr. Kafando
	China	Mr. Long Zhou
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Renié
	Japan	Mr. Okuda
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Russian Federation	Mr. Safronkov
	Turkey	Mr. İlkin
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Mr. Quarrey
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/169)

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09-29637 (E)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/169)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Guinea-Bissau, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Cabral (Guinea-Bissau) took a seat at the Council table.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Joseph Mutaboba, Representative of the Secretary-General and head of the United Nations Peacebuilding Support Office in Guinea-Bissau.

It is so decided.

I invite Mr. Mutaboba to take a seat at the Council table.

As this is Mr. Mutaboba's first briefing to the Security Council in his capacity as the Representative of the Secretary-General and head of the United Nations Peacebuilding Support Office in Guinea-Bissau, on behalf of the Council I wish to congratulate him on his appointment. We look forward to working closely with him and wish him good luck and success in his new and challenging assignment.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ambassador Maria Luiza Ribeiro Viotti, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission and Permanent Representative of Brazil.

It is so decided.

I invite Ambassador Viotti to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/169, which contains the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country.

At this meeting, the Security Council will hear briefings by Mr. Joseph Mutaboba, the new Representative of the Secretary-General, and Ambassador Maria Luiza Ribeiro Viotti.

I now give the floor to Mr. Joseph Mutaboba.

Mr. Mutaboba: I must at the outset apologize for the sound of my voice: it has been affected by travel and by the great deal of talking I have recently done in Guinea-Bissau — but the talking has been useful.

The report before the Council, contained in document S/2009/169, is the thirty-fourth report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS).

Its highlights are that the report reviews the main developments in Guinea-Bissau since the Secretary-General's previous report, of 2 December 2008 (S/2008/751), in particular the formation of the new Government, and the tragic events of March and the aftermath.

The ruling party, the African Party for the Independence of Guinea and Cape Verde (PAIGC), won an absolute majority in the legislative elections of November 2008, and President Nino Vieira invited the PAIGC leader, Carlos Gomes, Jr., to form a Government, which took office on 8 January 2009.

On the evening of 1 March, a bomb blast killed the Chief of General Staff, General Tagme Na Waie, and a few hours later, the head of State, President João Bernardo Vieira, was also assassinated. On 2 March, the Council of Ministers instructed the Prosecutor General to establish a commission of inquiry into both assassinations. On 3 March, the Speaker, Raimundo Pereira, was sworn in as interim President of the Republic, in keeping with the provisions of the constitution, with the main task of organizing the anticipated presidential elections.

Reaction to the assassinations was swift, and several countries and organizations, including the African Union (AU), the Community of Portuguese-speaking Countries (CPLP), the Economic Community of West African States (ECOWAS), the European Union, the International Organization of la Francophonie and the United Nations, and bilateral partners, condemned the assassinations and called for a transparent investigation. They also called for the full restoration of the constitutional order through the holding of presidential elections.

Here are just a few words to update members of the Council on developments in Guinea-Bissau since the report was published.

On political developments, the state funeral of President Vieira took place on 10 March in an emotional but peaceful atmosphere. On 14 March, the Council of Ministers nominated Navy Commander José Zamora Induta as Chief of General Staff and Lieutenant Colonel António N'djai as Vice-Chief of General Staff. The army and air force chiefs of staff, who are more senior in rank than those two men, were passed over. The interim President issued a decree on 4 April to confirm those appointments on an interim basis until the swearing-in of the elected President of the Republic, although the constitution does not give him such a power.

The commission of inquiry into the double assassinations started its work on 12 March. The Prosecutor General and Minister of Justice requested technical and financial support. The Prosecutor General expressed concerns about the lack of security for commission members and witnesses against threats and intimidation and the lack of cooperation from the military with regard to information exchange on the military inquiry.

A parallel inquiry has been set up by the military to investigate the assassination of General Tagme Na Waie. The military commission detained a number of military and civilian people. According to the Guinea-Bissau League of Human Rights, some of the detainees show signs of physical mistreatment. On 2 April, the Prosecutor General called on the international community to intercede so that those impediments could be resolved and conditions created for the inquiry to proceed.

ECOWAS and the CPLP sent delegations on 3 March to discuss the crisis. The 26th ministerial-level meeting of the ECOWAS Mediation and Security Council recommended that ECOWAS mobilize international support, including from the United Nations, for the preventive deployment of military and police to ensure the protection of institutions of the State, Government officials and the electoral process. It also recommended immediate steps to implement the ECOWAS Praia plan of action against drug trafficking, using Guinea-Bissau as one of the pilot countries. I am happy to report that Guinea-Bissau will be the first country to be used in the pilot.

The CPLP Council of Ministers, meeting in Praia on 25 March, among other things, supported the setting up of an international commission of inquiry, endorsed the ECOWAS proposal on preventive security deployment, if this was requested by the Guinea-Bissau Government, was coordinated by the African Union and received a mandate from the United Nations. However, on 1 April, the Minister of Social Communication and spokesperson of the Government stated that Guinea-Bissau had made no request for such a deployment and highlighted that what was needed was international support for security sector reform.

On 6 April, the Chairperson of the Commission of the African Union, Jean Ping, announced the appointment of Mr. João Bernardo de Miranda, former Minister of External Relations of the Republic of Angola, as AU Special Envoy for Guinea-Bissau.

Regarding the presidential elections, a constitutional crisis was averted after talks between interim President Pereira and parliamentary and non-parliamentary political parties, as well as civil society, culminated in broad consensus to hold elections on 28 June 2009. The budget for the elections is nearly $5 million. The precise figure is $4,965,709. The Resident Representative of the United Nations Development

Programme has indicated that, including pledges, the current gap stands at $2.5 million.

With regard to human rights developments, Pedro Infanda, the lawyer of Rear Admiral Bubo Na Tchuto, was detained by the military and subject to torture on 23 March. Mr. Infanda's arrest followed his public criticism of what he considered to be unconstitutional nominations to the military leadership. The military claimed that his comments were a threat to peace and security. Mr. Infanda appeared before the Prosecutor General on 27 March and was interned in hospital. The former Prime Minister and current President of the Audit Court, Francisco Fadul, was also attacked in his residence in the early hours of 1 April by armed men in military uniforms, after he had made comments on the radio critical of the armed forces. The nominee for Chief of the General Staff condemned the attack but said it was probably carried out by individuals not belonging to the armed forces who wanted to tarnish the reputation of the armed forces. The President of the League of Human Rights went into hiding on 1 April after League staff reported that it had been threatened by an armed individual in plain clothes.

On socio-economic developments, the teachers' and health workers' unions have taken strike action over salary arrears and other issues. The Government currently owes three months' worth of salaries from 2008 and is processing February salaries.

In conclusion, allow me to highlight some key points. First, the people of Guinea-Bissau voted maturely and massively for hope and change in their lives. They were faced with infighting in the governing party prior to the tragic events of March. The Government was then forced by the events of 1 and 2 March to focus its energies on managing the political and military crisis. It is also grappling with a precarious fiscal situation and faces enormous difficulties in clearing salary arrears and tackling the social issues that it promised to resolve.

While the patience of the people of Guinea-Bissau is seemingly endless, one has to recognize that disillusionment is setting in, as is a feeling of frustration that any promise made quickly evaporates with another cyclical crisis. The people are being asked to go to the polls on 28 June 2009 to elect a President. Many of them question the appropriateness of elections soon after major violence and before the socio-political and military environment has had time to settle. We support elections as part of the democratic process and respect for the Constitution, but we must take on board those perceptions and be aware that there is a growing disconnect between the population and the democratic process, which, in the eyes of many, treats the people as electoral fodder and gives them nothing in return. It is important, therefore, that the population see some quick improvements in their lives if democracy is to mean anything to them.

Secondly, a sound Commission of Inquiry is essential to end the cycles of violence and impunity in the country. Officials tell me endlessly that they fear that such an inquiry will fail like so many previous ones. The Prosecutor General has, on several occasions, argued that the Commission does not have the necessary material or technical support. He also recently complained about the lack of cooperation from the military in this matter. It is also important to acknowledge that asking investigators and witnesses to carry out their duty and be brave when there is no safety net adds to the distinct possibility of failure.

Those pessimistic assessments are an argument for the creation of an international commission of inquiry and the provision of protection for witnesses and national officials involved in such an inquiry. The ECOWAS/CPLP proposal for protection provides a window for action to protect individuals and to guarantee peace and security. However, that international inquiry and protection offer requires a request from the Government, which has not been forthcoming. In contrast, following the 23 November 2008 attack on President Vieira, the caretaker Government in power and civil society asked for protection for top State officials. In my assessment, the security environment in the country is volatile and the international community must consider how best to bolster the security of the State, if called upon to do so, in what could be a rapidly changing environment.

Thirdly, security sector reform (SSR) is among the key reforms of the State. The focus of national stakeholders is particularly on defence. I regret to inform the Council that they have lost faith in the international community's ability to kick-start the reform. There are indeed programmes ready that need funding. Now is the time to get some quick wins and to start implementing those programmes, which in particular affect the veterans and other servicemen above the age of retirement.

There is an urgent need to focus on the basic needs of the military and of the population in general. As an integral part of the security sector reform plan, I am currently working with the Government of Guinea-Bissau, from the top down, to develop projects that would use military labour and land allocated to the armed forces to grow and process food, build homes and schools and provide other social services, using military personnel. Those projects will address the need to create a modern republican army endowed with the basic rights to food, shelter and education. The success of such projects will have a positive impact on SSR and on relations between the civilian population and the military. It is expected that, ultimately, the latter will become partners in the attainment of development and political stability in Guinea-Bissau.

At the same time, it is crucial that the international community provide financial and technical support to implement the national SSR programme and the ECOWAS regional action plan to address the growing problem of illicit drug trafficking, organized crime and drug abuse in West Africa as a region. In that connection, the Department of Political Affairs — through the United Nations Office in West Africa, the Department of Peacekeeping Operations, the United Nations Office on Drugs and Crime and the International Criminal Police Organization — have agreed to work in synergy to support the implementation of the ECOWAS action plan. That joint initiative aims at providing technical assistance and building the capacity of police and law enforcement agencies in ECOWAS member States to improve the prevention of and fight against organized crime and drug trafficking. Guinea-Bissau is one of the pilot countries of this initiative, as I have already mentioned, and the country's international partners should help to make the initiative a success.

Finally, through you, Mr. President, I would like to call on the members of the Council and the international community to send a signal to the security forces and the Government of Guinea-Bissau that they are the only parties responsible for protecting and upholding the human rights of the people of Guinea-Bissau. I also urge each member of the Council to contribute its part to the efforts being made by the international community to support the elections, programmes aimed at ending impunity, and security sector reform in Guinea-Bissau.

The President (*spoke in Spanish*): I now give the floor to Mrs. Maria Luiza Ribeiro Viotti, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

Mrs. Viotti: Mr. President, I would like to thank you for the invitation to address the Security Council in my capacity as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

I also thank the Special Representative of the Secretary-General in Guinea-Bissau, Mr. Joseph Mutaboba, for his presentation on the current situation in the country.

Since my briefing to the Security Council on 7 October 2008, there have been a number of developments in the country — some encouraging, others deeply disturbing — that impact international efforts to support peacebuilding. On the positive side, elections were held, a new Government was installed and its programme approved by the National Assembly. The members of the National Steering Committee for Peacebuilding were appointed.

Such progress was marred by the tragic events of 1 and 2 March. The country-specific configuration has joined the international community, including this Council, in strongly condemning the assassinations of President Vieira and General Tagme Na Waie. We also invited all partners and friends of Guinea-Bissau to maintain their commitment to the country, in particular through assistance in organizing the presidential elections called for in the national Constitution.

Fortunately, in the aftermath of these dreadful events, the Speaker of the Parliament, Mr. Raimundo Pereira, took over as the interim President, in accordance with the applicable constitutional provisions. In addition, a Commission of Inquiry was promptly set up.

However, the political situation was once again disturbed by recent episodes of violence and intimidation against well-known figures in Guinea-Bissau, including the President of the Audit Court and the lawyer of a former Navy Chief of Staff. Detentions of other persons, including senior military officers, have not yet been fully explained.

This is all extremely relevant to the work of the Commission. The assassinations and the latest developments are a reminder of the fragility of Guinea-Bissau and the need for the international community to

muster political and financial support for the country. It is also a reminder of the need for the country's Government and society to take full advantage of international willingness to assist them in surmounting the manifold challenges they face.

Among these challenges, I would single out two where the Peacebuilding Commission can make a significant contribution in the short term. The first is the organization of the presidential elections, which, according to a political agreement recently achieved, could take place on 28 June. Its estimated cost is around $5 million. The country-specific meeting will make an effort to help mobilize the funds needed to fill the gap. For its part, the Government is expected to take all measures to ensure a fair, transparent and credible electoral process. I am confident that the Bissau Guinean leadership — civilian and military — fully understands that the preservation of the constitutional order and effective democracy are essential elements of peacebuilding and an indispensable component of our partnership.

Another issue of critical importance is the reform of the security and defence sectors. The Peacebuilding Commission will convene a meeting dedicated to that matter next week, with the aim of listening to all relevant actors on their current activities on the ground. The meeting is expected to feed into the Praia conference scheduled for 20 April, at the initiative of the Economic Community of West African States (ECOWAS). The objective of the Commission's meeting is to take stock of current undertakings in security sector reform, assess the main gaps and bottlenecks, and envision how we can best assist actors on the field to respond to Guinea-Bissau's concrete needs.

Security sector reform should be undertaken in a holistic manner. It should be seen not merely as a means of reducing the number of military personnel, but rather as a process that would allow Guinea-Bissau to rely on professional and republican armed forces. Adequate living conditions for those who will remain in the active service are also essential. Equally important, effective mechanisms to reintegrate those demobilized into civilian life are needed to ensure the political sustainability of the reform. These were key messages conveyed by the Minister of Defence at the Commission's last meeting on 25 March. The suggestions and ideas put forward just now by the Special Representative of the Secretary-General are very welcome and constitute, I think, an interesting basis for our discussions in the Peacebuilding Commission.

As acknowledged in the Strategic Framework for Peacebuilding in Guinea-Bissau, security sector reform should neither be undertaken in isolation, separate from other important reforms, nor considered a panacea. The stability of the country will require a broader effort aimed at consolidating its institutions, strengthening the State and overcoming the hurdles that have been preventing Guinea-Bissau from embarking on a self-sustained process of economic growth over the past years.

Needless to say, strengthened State institutions are also key in the fight against illicit drug trafficking in Guinea-Bissau and in the region. We recall the support of the Community of Portuguese-speaking Countries in making Guinea-Bissau a pilot country, in implementation of the ECOWAS Praia action plan agreed upon last year.

In conclusion, the scenario for peacebuilding in Guinea-Bissau remains quite challenging. The situation calls for sustained political and financial support from the international community and further and better technical cooperation. To this end, the strengthening of the United Nations presence on the ground is absolutely indispensable. We look forward to the Secretary-General's recommendations on how to upgrade the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS) into an integrated office that is adequately staffed and endowed with the necessary resources to assist the Government in tackling the country's challenges. All the support that the Security Council can provide to UNOGBIS will be most welcome.

The President (*spoke in Spanish*): I thank Ambassador Viotti for her briefing.

I now give the floor to the Permanent Representative of Guinea-Bissau.

Mr. Cabral (Guinea-Bissau) (*spoke in French*): I thank you, Mr. President, for the opportunity to take the floor today after the Special Representative of the Secretary-General, Mr. Joseph Mutaboba, and the Ambassador of Brazil, who spoke in her capacity as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

The Special Representative of the Secretary-General stated earlier that the report of the Secretary-General (S/2009/169) is the thirty-fourth of its kind, which shows just how long the Council has been considering the situation in my country. It has been a rather extended period of time, given that the United Nations Office was created nearly 10 years ago, which I believe evinces the Council members' confirmed interest in my country. Unfortunately, however, it also shows how long the situation in my country has dragged on.

Today, I take the floor with a heavy heart because, as the Secretary-General says in his report and as his Special Representative, Mr. Mutaboba, reiterated earlier, tragic events have occurred in my country. The unfortunate assassinations of the President of the Republic and the General Chief of Staff of the Armed Forces were two tragic events compounding the evil that has, as I said earlier, plagued the daily life of my fellow citizens for quite some time.

Unfortunately, we face a tragic situation. But I want to assure the Council that, whatever the current circumstances might be, no one should conclude that Guinea-Bissau is a lost cause — that, despite all the efforts of the international community, we are not achieving the hoped-for results. In fact, we in Guinea-Bissau are aware of the need to ensure that the country's credibility is restored. We are mindful of the need to reconcile with one another, to establish dialogue as a means of communication, to ensure harmony among all sectors of the population — all ethnic groups, all the components of our nation.

That is why I should like to insist here that, despite what has happened, despite the brutality that has occurred, the people of Guinea-Bissau are not a violent people. Quite to the contrary, the people of Guinea-Bissau are a peaceful people who love peace and are striving to ensure that peace becomes a lasting reality in our country. Thus, I should like to ask, as the Secretary-General did in his report (S/2009/169), that these people not be abandoned, because the people of Guinea-Bissau deserve to be supported in this national reconciliation effort so that they can find their way back to the path of peace and political stability and can lay the foundations for sustainable development. We need development; we do not need conflict. We need the international community to help us face major challenges. Most of those challenges are described in the Secretary-General's report, and the Special Representative made more specific reference to some of our most essential priorities.

It is imperative that the people of Guinea-Bissau reconcile with one another. The international community and the Security Council must have a positive and immediate impact. It is essential that the Council help us, that the international community help us to create a favourable atmosphere for the forthcoming elections, to be held on 28 June, in the wake of the President's assassination.

Despite the tragic nature of the events that have occurred in my country, and despite certain difficulties in harmonizing positions, the political parties have lived up to their responsibilities. They met to take a consensual decision on the date of 28 June. It is essential that the international community help us to organize those elections. We want them to be credible and transparent and to be an opportunity for the citizens of Guinea-Bissau to decisively choose the person they want.

I should like to add that it is vital that the international community help us initiate and complete the reform of our defence and security forces. That is an element essential to peacebuilding in Guinea-Bissau. We must acknowledge that the conditions in which my country's soldiers — my fellow citizens — live are utterly regrettable. I believe that the United Nations missions that have gone to Guinea-Bissau can attest to that. It is not a question of creating conditions that are more perfect than those that are most essential for any person's everyday life; it is just a question of ensuring that we, too, can create minimum living conditions in the barracks so that the soldiers, who are an integral part of society and normal citizens, can reclaim the dignity that is indispensable to any human being. When one thinks of those living in barracks that do not even have a roof, at the mercy of the weather — and the rainy season will begin soon in Guinea-Bissau — I believe that one can understand the state of mind of my countrymen in the barracks.

I believe we all agree that these reforms must take place as swiftly as possible. We have made that decision: the authorities, parliament and, in particular, the army have decided to play a critical role in this reform of the defence and security forces. So I should just like to say that there is a national consensus in this area, but we need the financial wherewithal to implement plans that we have already established in

order to create the structures essential to this reform that we are all earnestly calling for.

Furthermore, not only do we need to create the conditions essential for organizing the elections; at the same time, the Government needs to meet the daily needs of the population. I ask the Council not to focus only on the preparation of future elections: first the elections, and then we will see. I hope that, if possible, the authorities of Guinea-Bissau, the people of Guinea-Bissau and the international community can, in parallel and at the same time, also deal with obligations in other areas. As the Special Representative has indicated, the minimum conditions for normal life in Guinea-Bissau must be created.

In other words, hope must be restored to the people of Guinea-Bissau. This must be said: "Despite what has happened in your country, we have confidence in you, provided that you make the effort necessary to reconcile with one another and to establish a constructive dialogue among yourselves and for yourselves". I can assure the Council that the people of Guinea-Bissau are prepared to take that step, to make every effort and every sacrifice necessary to ensure that this credibility that we need will be restored, that lasting peace will be established in our country once and for all.

Once again, I should like to say that we are indebted to the international community for all the messages of solidarity and compassion that have been expressed to us by the President of the Council, the Secretary-General, the African Union, the European Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries and all others who are concerned about what is happening in Guinea-Bissau, in a unanimous demonstration of human solidarity. Here and now, I should like to thank all those who have demonstrated their unfailing solidarity towards a people in need, the people of Guinea-Bissau.

Finally, I should like to say that we in Guinea-Bissau will continue to create the conditions necessary for this dialogue of which I have spoken, in order to ensure that the rule of law can prevail so that unfortunate incidents such as those just referred to by the Special Representative — which could call into question the rule of law and respect for the law — do not recur and all those doubts can be dispelled. But to do that, we need functional and credible justice, which means that here too we need the international community's help to ensure credible justice for those who are to be judged and to ensure that the people of Guinea-Bissau will be confident in their justice system and can turn to it in the knowledge that it will be prepared not only to hear them but also to render justice under conditions that respect international law. As I said before, we shall continue to strive to attain a democratic State based on the rule of law, in which all citizens will be seen, inclusively, as stakeholders in the conduct of national affairs.

I reiterate that we are mindful of our obligations. I recently spoke with our Prime Minister; he asked me to tell the Council that we are mindful of the challenges we must face and that we are mindful that we in Guinea-Bissau bear primary responsibility for what happens in our country. We are ready to take up these challenges. We need the Council's understanding, solidarity and support in order to continue the task we have undertaken, so that, in spite of the obstacles, we will be able to move forward to build a democratic country and ensure that Guinea-Bissau can recover its credibility and respectability on the international scene.

I repeat — because it is important to do so — that the people of Guinea-Bissau are not a violent people. They are a peace-loving people and deserve the Council's close attention. I am grateful for the sustained attention that the Council has always devoted to my people and my country.

The President (*spoke in Spanish*): I am certain that members of the Council will pay due heed to the appeal made today by the representative of Guinea-Bissau to the Council and to the international community to support the process under way in Guinea-Bissau.

There are no further speakers on my list. In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 11.05 a.m.